

BOARD of SUPERVISORS



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MEMORANDUM

TO: Alondra Esquivel-Garcia, Director, Youth Commission
Joy Zhan, Youth Commission

FROM: Victor Young, Assistant Clerk,
Rules Committee

DATE: October 16, 2024

SUBJECT: LEGISLATIVE MATTER INTRODUCED

The Board of Supervisors' Rules Committee has received the following matter. This item is being referred for comment and recommendation.

File No. 240967

Ordinance amending the Administrative Code to establish the E-Bike Incentive Fund to support implementation of an electric bicycle (or "e-bike") incentive program administered by the Department of the Environment.

Please return this cover sheet with the Commission's response to John Carrol, Assistant Clerk, Land Use and Transportation Committee.

RESPONSE FROM YOUTH COMMISSION Date: _____

_____ No Comment
_____ Recommendation Attached

Chairperson, Youth Commission

1 [Administrative Code - E-Bike Incentive Fund]

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3 **Ordinance amending the Administrative Code to establish the E-Bike Incentive Fund to**
4 **support implementation of an electric bicycle (or “e-bike”) incentive program**
5 **administered by the Department of the Environment.**

6 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
7 **Additions to Codes** are in *single-underline italics Times New Roman font*.
8 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
9 **Board amendment additions** are in double-underlined Arial font.
10 **Board amendment deletions** are in ~~strikethrough Arial font~~.
11 **Asterisks (* * * *)** indicate the omission of unchanged Code
12 subsections or parts of tables.

13 Be it ordained by the People of the City and County of San Francisco:

14 Section 1. Article XIII of Chapter 10 of the Administrative Code is hereby amended by
15 adding Section 10.100-66, to read as follows:

16 **SEC. 10.100-66. E-BIKE INCENTIVE FUND.**

17 (a) Establishment of Fund. The E-Bike Incentive Fund (“Fund”) is hereby established as a
18 category eight fund to support an electric bicycle (“e-bike”) incentive program aimed at promoting
19 sustainable transportation, reducing traffic congestion, improving air quality, and supporting equity in
20 transportation access across San Francisco.

21 (b) Sources of Funds. The Fund shall receive monies appropriated, donated, or granted for
22 the purposes of supporting the e-bike incentive program.

23 (c) Use and Administration of Fund.

24 (1) Responsible Agency. The Department of the Environment (“Department”) shall
25 administer the Fund. The Department may, in its discretion, adopt rules, regulations, and/or guidelines
for the distribution of monies in the Fund, consistent with the criteria set forth in subsection (c)(2).

1 (2) Allowable Uses of Fund. Subject to the budgetary and fiscal provisions of the
2 Charter, monies in the Fund may only be expended for the following purposes:

3 (A) Providing financial incentives and/or point-of-sale rebates to City
4 residents for the purchase and/or maintenance of e-bikes that meet the definition of Safety-Certified
5 Powered Mobility Devices in Section 325 of the Fire Code, as it may be amended from time to time,
6 and related bike safety and/or security accessories, subject to the following restrictions:

7 (i) The Department shall make best efforts to ensure that 40% or
8 more of funds disbursed over a fiscal year are disbursed to people who either are low-income, reside in
9 City neighborhoods that are disproportionately burdened by pollution, or reside in City neighborhoods
10 that are disproportionately lacking in public transportation. Individuals that meet these criteria
11 include but are not limited to individuals from neighborhoods that are 1) identified on the California
12 Air Resources Board's Priority Populations Map as being a disadvantaged community and/or low-
13 income community; and/or 2) identified on the San Francisco County Transportation Authority's
14 Equity Priority Communities Map as an Equity Priority Community.

15 (ii) Financial incentives and/or rebates shall only be available for
16 purchases or services from retailers located within the City, except for adaptive e-bikes, for which
17 purchases or services outside the City may qualify for incentives and/or rebates, in the Department's
18 discretion.

19 (iii) The Department shall prioritize distribution of funds to
20 individuals with greater financial need.

21 (B) Outreach and educational programs to promote the proper use of e-bikes,
22 including education on safe charging and disposal.

23 (C) Data collection, evaluation, and reporting on the impact and
24 effectiveness of the e-bike incentive program and/or feedback from participants to inform other City
25 policies, programs, and/or infrastructure projects.

1 (D) Administrative (e.g., labor and overhead) and contracting costs incurred
2 by the Department or other City departments associated with the management and implementation of
3 the e-bike incentive program, associated outreach and education programs, and associated data
4 collection, evaluation, and reporting.

5 (d) Outreach and Coordination. The Department shall conduct outreach with the goal of
6 ensuring equitable access to e-bike incentives. The Department shall conduct outreach aimed at
7 reaching individuals who either are low-income, reside in City neighborhoods that are
8 disproportionately burdened by pollution, or reside in City neighborhoods that are disproportionately
9 lacking in public transportation, as described in subsection (c)(2)(A)(i). The Department shall conduct
10 this outreach in coordination with the Mayor’s Office on Disability, community-based organizations,
11 bike retailers, and/or other community partners.

12 (e) Reporting. The Department shall maintain a record of Fund revenues and expenditures.
13 The Department shall provide reports to the Board of Supervisors on the program’s operations on the
14 following schedule: the first report shall cover the e-bike incentive program’s first fiscal year of
15 operation, and shall be submitted no later than October 31 following the first fiscal year throughout
16 which the Department has operated an e-bike incentive program continuously; the second report shall
17 be due no later than October 31 of year following submission of the first report, and shall cover the
18 operation of the program during the fiscal year preceding the report submission; and subsequent
19 reports shall be submitted as requested by the Board of Supervisors.

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21 Section 2. Effective Date. This ordinance shall become effective 30 days after
22 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
23 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
24 of Supervisors overrides the Mayor’s veto of the ordinance.

1 Section 3. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
2 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
3 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
4 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
5 additions, and Board amendment deletions in accordance with the “Note” that appears under
6 the official title of the ordinance.

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8 APPROVED AS TO FORM:
9 DAVID CHIU, City Attorney

10 By: Sarah Crowley
11 SARAH CROWLEY
12 Deputy City Attorney

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LEGISLATIVE DIGEST

[Administrative Code - E-Bike Incentive Fund]

Ordinance amending the Administrative Code to establish the E-Bike Incentive Fund to support implementation of an electric bicycle (or “e-bike”) incentive program administered by the Department of the Environment.

Amendments to Current Law

This ordinance would create a category eight fund, administered by the Department of the Environment (“Department), to support an e-bike incentive program. Monies in the fund could be used to provide incentives and/or rebates to City residents for the purchase and/or maintenance of e-bikes and related safety and security accessories from City retailers, and for outreach and education, data collection, evaluation and reporting, and administration of the program.

The Department would be directed to prioritize distribution of any monies in the fund to individuals from neighborhoods that are disproportionately burdened by pollution and/or disproportionately lacking in public transportation, and individuals with greater financial need.

The Department would be required to report to the Board on the operation of an e-bike incentive program by October 31 following the end of the first fiscal year during which the Department operated such a program continuously throughout the fiscal year, to report a second time by October 31 of the following year, and to provide further reports as requested by the Board.

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